

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER GRANTING UNITED STATES' MOTION FOR DEFAULT JUDGMENT</b>
	)	<b>AGAINST FIRST BANKCARD CENTER, GARY KELSCH, AND FRANCES KELSCH</b>
vs.	)	
Darrell J. Meidinger, Arnold V.	)	
Fleck, First Bankcard Center,	)	Case No: 1:04-cv-131
Gary Kelsch, and Frances Kelsch,	)	
	)	
Defendants.	)	

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On November 26, 2007, the United States filed a “Motion for Entry of Default (First Bankcard Center, Gary Kelsch, and Frances Kelsch)” and a “Motion for Entry of Default Judgment (First Bankcard Center, Gary Kelsch, and Frances Kelsch).” It has been shown that in 2004 the United States served a “Complaint and/or Amended Complaint and Notice of Lawsuit and Request for Waiver of Service of Summons” on defendants First Bankcard Center, Gary Kelsch, and Frances Kelsch, and that each signed the waiver of service of summons. See Docket No. 19. Pursuant to Rule 4(d)(3) of the Federal Rules of Civil Procedure, First Bankcard Center, Gary Kelsch, and Frances Kelsch had sixty (60) days to file an answer from the date the request for waiver of service was sent. To date, First Bankcard Center, Gary Kelsch, and Frances Kelsch have not filed answers and appearances have not been made on their behalf. See Docket No. 19.

On November 26, 2007, the Clerk of Court entered default against First Bankcard Center, Gary Kelsch, and Frances Kelsch. The United States’ Motion for Default Judgment is **GRANTED** as to defendants First Bankcard Center, Gary Kelsch, and Frances Kelsch (Docket No. 15). The Clerk of Court is directed to enter default judgment against First Bankcard Center, Gary Kelsch, and Frances Kelsch.

**IT IS SO ORDERED.**

Dated this 27th day of November, 2007.

*/s/ Daniel L. Hovland* \_\_\_\_\_  
Daniel L. Hovland, Chief Judge  
United States District Court